

June 18, 2004

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street S.W.  
Washington, DC 20445  
RE: MB Docket No. 04-160

Dear Ms. Dortch:

I am writing to you this afternoon with concern for the continued local content encroachment that satellite radio is posing to our local AM and FM Radio stations.

It is my understanding that as a condition to being granted their licenses, both XM Radio and Sirius Satellite Radio made promises to the FCC to not engage in nor encroach upon the local services offered by terrestrial broadcast stations. It now appears that both XM and Sirius have broken this promise with the offering of local traffic and weather services.


While I am a strong advocate for competition, competition is only fair and serves the good of the people when all players are on level ground playing by similar rules. Satellite radio doesn't have public interest limits or ownership limits and they have no *local* investment in any of the communities they currently reach or propose to reach in the future. Based on comments XM and Sirius have filed in opposition to the NAB petition, both companies are aggressively on a path to localize their services. Without intervention from the FCC, these two companies will reach into every market in America and duplicate what local broadcasters do. In their own words "The sky is the limit".

In Muskegon, Michigan, WMUS-FM provides a news and information service to listeners 24 hours a day. WMUS's traffic and weather reports run every ten minutes in both drive times. The same can be said for WMRR-FM and WSHZ-FM, which we also operate. The costs involved in providing these services are significant. But this is a commitment we have made to the community.

Additionally, local broadcast stations have an obligation for the well being of the community in which we live. Specific to the stations I represent and manage, our association with organizations like American Red Cross, Christmas Wish, Hospice of West Michigan, and many other area agencies has raised over \$20 thousand dollars in the past year.

The FCC, in authorizing satellite radio, vowed to protect "vibrant" local broadcasting, and promised to take the necessary actions to safeguard local AM and FM radio stations. The time for that action is now. That is why I am respectfully requesting that the FCC support the NAB Petition as I do.

Sincerely

  
Barclay Brandmiller  
Vice President & General Manager  
Clear Channel Radio  
Muskegon, MI

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